

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:14-CR-00147-RJC-DCK

USA

v.

RODERICK LAUADES BROWN

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ORDER

THIS MATTER is before the Court upon the defendant's pro se motion to revoke a detention order while his sentencing is pending, 18 U.S.C. § 3145(b) and (c). (Doc. No. 21). For the reasons stated below, the Court will affirm the detention order.

The defendant was ordered detained prior to his guilty plea to conspiring to possess with intent to distribute at least 15 kilograms of cocaine, in violation of 21 U.S.C. § 846, and conspiring to launder proceeds of such drug trafficking, in violation of 18 U.S.C. § 1956(h). (Doc. No. 8: Order; Doc. No. 18: Entry and Acceptance of Guilty Plea). The instant motion challenges the magistrate judge's decision to detain the defendant.

A district court is required to make an independent, de novo determination when acting on a motion to revoke or amend a magistrate judge's pretrial detention order. United States v. Stewart, 19 Fed. Appx. 46, 48 (4th Cir. 2001)(citing United States v. Rueben, 974 F.2d 580, 585-86 (5th Cir. 1992). However, a district court is not required to hold an additional evidentiary hearing as part of its review. United States v. King, 849 F.2d 485, 489-90 (11th Cir. 1988); United States v. Hare, 873 F.2d 796, 799 (5th Cir. 1989).

The Court has conducted a de novo review of the evidence presented before the magistrate judge and the entire record in this case and finds the magistrate judge's decision to detain the defendant was correct. The information offered by the defendant in the instant motion

and past proceedings falls well below that required to clearly establish “exceptional reasons why . . . detention would not be appropriate” following his guilty plea. 18 U.S.C. § 3145(c).

IT IS, THEREFORE, ORDERED that the defendant’s motion (Doc. No. 40) to revoke the magistrate judge’s detention order is **DENIED**.

The Clerk is directed to certify copies of this order to the defendant, counsel for the defendant, to the United States Attorney, the United States Marshals Service, and the United States Probation Office.

Signed: January 4, 2016

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.
United States District Judge

